

**MEMO ENDORSED**



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April 26, 2022

The Honorable Valerie Caproni  
United States District Judge  
United States District Court  
Southern District of New York  
40 Foley Street  
New York, NY 10007

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**VIA ECF**

Re: *Contreras v. The I.V. Doc Inc.*; Case No. 1:22-cv-00008-VEC

Dear Judge Caproni:

We represent plaintiff Yensy Contreras (“Plaintiff”) in the above-referenced action. We respectfully write pursuant to this Court’s Individual Practices in Civil Cases rule 2(C) to request an adjournment of the Initial Pretrial Conference currently scheduled for May 6, 2022, as well as the accompanying joint letter from the parties currently due April 28, 2022 *sine die*. This is Plaintiff’s first request for an adjournment. Plaintiff requests this adjournment because there has been no contact with Defendant or Defense Counsel in this action, and Plaintiff thus intends to move for default.

Defendant in this case was served on January 19, 2022. *See* Docket No. 6. Since that time, Plaintiff’s counsel has not had contact with any counsel representing Defendant, or Defendant itself, despite vigorous efforts to locate counsel and reaching out to Defendant itself regarding this case. Given the absence of contact with Defendant or counsel representing Defendant, Plaintiff intends to promptly move for default in accordance with the procedures detailed in this Court’s Individual Practices, Rule 4(I).

For these reasons, Plaintiff respectfully requests that the Initial Pretrial Conference and Joint Letter be adjourned *sine die* and this Court grant Plaintiff ten (10) days to submit a proposed order to Show Cause for Default Judgement and Proposed Default Judgment, along with supporting papers, in order to move for Default against Defendant.

Respectfully submitted,  
/s/ Edward Y. Kroub  
Edward Y. Kroub

Cc: All Counsel of Record (via ECF)

The initial pre-trial conference scheduled for May 6, 2022 at 10:00 a.m. is adjourned *sine die*. Defendant's time to answer, move, or otherwise respond remains **May 6, 2022**. See Order, Dkt. 5. If Defendant does not appear or answer by May 6, 2022, then, not later than **May 13, 2022**, Plaintiff must move for an Order to Show Cause as to why default judgment should not be entered, in line with the Court's Individual Practices.

Plaintiff is directed to serve a copy of this Endorsement on Defendant and file proof of service by no later than **Friday, April 29, 2022**. The Clerk of Court is respectfully directed to close the open motion at docket entry 7.

SO ORDERED.



Date: 4/26/2022

HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE